

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office APR 29 2005

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed APR 29 2005

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The applicant **Spring Creek Utilities Company** hereby makes application for permission to change the **point of diversion of a portion** of water heretofore appropriated under **#45922**

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1. The source of water is **Willington well (Well #9)**
2. The amount of water to be changed **1.5 c.f.s. (353.86 million gallons.)**
3. The water to be used for **municipal**
4. The water heretofore permitted for **municipal**
5. The water is to be diverted at the following point **within NE¼ NE¼ Section 34, T.33N., R.57E., M.D.M., from which the NE section corner of said section bears N.16° 51' E., 1.127 feet distant.**
6. The existing permitted point of diversion is located within **SE¼ NE¼ Section 34, T.33N., R.57E., M.D.M. from which the NE corner of said section bears N. 5° 40' 42" E., 2,774.73 feet distant.**
7. Proposed place of use **same as existing**
8. Existing place of use **see attached**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **drilled and cased well; submersible or line shaft pump and motor, pipeline system to existing storage and distribution pipeline network.**
12. Estimated cost of works **estimate: \$200,000.00**
13. Estimated time required to construct works **four months**
14. Estimated time required to complete the application of water to beneficial use **two years**

15. Remarks: Lower nearby well yield and pressure drop during peak summer demand periods have created the urgency for this proposed new construction. An approval for necessary expenditure for this addition (first a test boring, then production well) has been approved, and drill site negotiations with the Homeowners' Association are nearing completion. A permanent change application will be submitted upon confirmation of adequate yield at the proposed source.

s/ William A. Nisbet  
By William A. Nisbet, Agent  
421 Court Street  
Elko, NV 89801

Compared gkl/ sc 1t/gkl  
Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 45922 is issued subject to the terms and conditions imposed in said Permit 45922 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 36142, 45913 through 45923, 57873, 60578, 61330, 61331, 65385, 66857 and 72664-T total combined duty, not to exceed 2314.6 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on June 29, 2006 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.5 cubic feet per second, not to exceed 353.86 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed on or before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

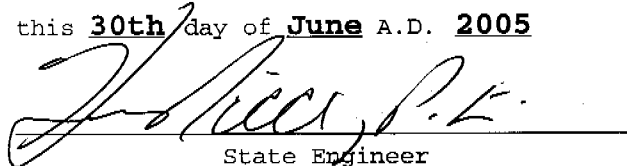
Map in support of proof of beneficial use shall be filed on or before:

**TEMPORARY**

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 30th day of June A.D. 2005

  
State Engineer

## SPRING CREEK UTILITIES COMPANY

Item #8. Existing place of use

T.34N.	R.56E.	MDM	Acres
Section 21	All		640
Section 22	W $\frac{1}{2}$		320
Section 27	All		640
Section 28	All		640
Section 29	SE $\frac{1}{4}$ NE $\frac{1}{4}$		40
Section 33	All		640
Section 34	NW $\frac{1}{4}$		160
T.33N.,	R.56E.	MDM	Acres
Section 3	NW $\frac{1}{4}$ NW $\frac{1}{4}$		40
Section 4	NE $\frac{1}{4}$ NE $\frac{1}{4}$		40
Section 12	S $\frac{1}{2}$ S $\frac{1}{2}$		160
Section 13	All		640
Section 14	S $\frac{1}{2}$ SE $\frac{1}{2}$ , SE $\frac{1}{2}$ SW $\frac{1}{2}$		120
Section 15	W $\frac{1}{2}$ , W $\frac{1}{2}$ SE $\frac{1}{2}$		400
Section 22	All; except NE $\frac{1}{4}$ NE $\frac{1}{4}$		600
Section 23	N $\frac{1}{2}$		320
Section 24	All		640
Section 25	All		640
T.33N.	R.57E.	MDM	Acres
Section 7	S $\frac{1}{2}$		320
Section 8	S $\frac{1}{2}$		320
Section 9	W $\frac{1}{2}$ SW $\frac{1}{4}$		80
Section 10	SW $\frac{1}{4}$		160
Section 15	All		640
Section 16	All		640
Section 17	All		640
Section 18	All		640
Section 19	All		640
Section 20	W $\frac{1}{2}$ W $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ .		340
Section 21	S $\frac{1}{2}$ SW $\frac{1}{4}$		80
Section 27	All		640
Section 28	All		640
Section 29	All		640
Section 30	E $\frac{1}{2}$		320
Section 31	NE $\frac{1}{4}$		160
Section 32	N $\frac{1}{2}$ , SE $\frac{1}{4}$		480
Section 33	All		640
Section 34	All		640
T.32N.	R.57E.	MDM	Acres
Section 3	NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 4)		40
Section 4	N $\frac{1}{2}$ N $\frac{1}{2}$		160
TOTAL			15,540